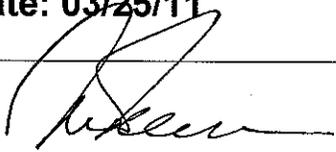




Oregon Board of Parole and Post-Prison Supervision

Title: Medical Marijuana Use	Policy:
Effective Date: 03/25/11	Supersedes: June 09, 2008
Signature: 	

I. PURPOSE

To establish policy and procedures governing the possession of marijuana by offenders with medical marijuana cards.

II. DEFINITIONS:

- A. Offender: A person who is serving a period of parole or post-prison supervision under the authority of the Oregon Board of Parole and Post-Prison Supervision.
- B. General Condition 10: Condition of supervision that states offender must obey all laws, municipal, county, state and federal.

III. POLICY:

The Board will find a violation of General Condition (GC) #10 for possession of marijuana even if the offender has a medical marijuana card, assuming it is alleged by the supervising officer and otherwise substantiated.

The policy is intended as a permissive one. That is, one in which an individual county may determine how it wants to handle offenders who hold such cards and one in which each offender's individual circumstances will help determine whether a GC #10 violation is alleged by the supervising officer. Just as a condition prohibits contact with minor children allows for the supervising officer to evaluate the offender's individual circumstances, so too will this policy allow a supervising officer to evaluate an offender's individual circumstances to determine whether to allege a GC #10 violation. If a supervising officer alleges a GC #10 violation, then it will need to be substantiated as possession of

marijuana in violation of federal law. For instance, in addition to a positive urine analysis for marijuana use, a supervising officer should establish facts that the offender possessed the marijuana before using it.

The Board will not give special permission to use medical marijuana for offenders in Orders of Supervision Conditions. In addition, the Board will not sanction an offender for obtaining a medical-marijuana card; rather, the Board's focus is on the possession of marijuana in violation of federal law if that violation is alleged by the supervising officer and otherwise substantiated as described by this policy.